

NO. 63138

**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 20 1997

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAY 20 1997 under 63097

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The applicant Barker Homes, Inc., hereby makes application for permission to change the Point of Diversion, Place and Manner of Use of water heretofore appropriated under portions of Claim 609 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled "The United States of America vs. Orr Water Ditch Company, et al., Defendants", in Equity Docket A-3.

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1. The source of water is Truckee River, as decreed
2. The amount of water to be changed 1.56 afa and a prorata share of the diversion rate
3. The water to be used for Municipal and Domestic
4. The water heretofore permitted for Irrigation, as decreed
5. The water is to be diverted at the following point The points of diversion of Sierra Pacific's existing water treatment plants as described in attached Exhibit "A" and as shown on the map supporting Application No. 58882 on file with the Division of Water Resources, State of Nevada.
6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 8, T.19N., R.20E., M.D.M., or at a point from which the Northwest corner of said Section 8 bears North 21 $^{\circ}$  00' West a distance of 5405 feet. Stephens Ditch per Orr Ditch Decree. See detail, this map, for existing point of diversion.
7. Proposed place of use See attached Exhibit "B" and as shown on the map that accompanied Application No. 62141.
8. Existing place of use See attached Exhibit "C" and refer to map accompanying Application Nos. 63097.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from As Decreed to As Decreed of each year.
11. Description of proposed works Water will be diverted by existing S.P.P.Co. facilities, treated and placed into the existing distribution system.
12. Estimated cost of works S.P.P. Co. has invested in excess of \$50 million
13. Estimated time required to construct works Completed
14. Estimated time required to complete the application of water to beneficial use 1 year

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15. Remarks: During 1996 Sierra Pacific served an average of 63,871 non-duplicate customers and delivered approximately 68,121 acre feet of water. Maximum daily delivery was 116.7 million gallons (358.14 acre feet). This application transfers 1.56 acre feet of water for future use by Barker Homes.

By s/George G. Lindesmith  
Tri State Surveying  
1925 E. Prater Way  
Sparks, Nevada 89434

Compared my/cms ds/cmf

Protested 8-11-97 by: The City of Fallon; Pro. Overruled 6-17-98, See Ruling #4642

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use, and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 609, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.017 cubic feet per second, but not to exceed 1.56 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

June 15, 2011

Proof of the application of water to beneficial use shall be filed on or before:

July 15, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 15th day of, June A.D. 2001

  
State Engineer

Completion of work filed under 60929 on March 12, 1997

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

**EXHIBIT "A"**

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

**STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):**

The existing point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

**HIGHLAND DITCH (HIGHLAND RESERVOIR):**

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

**IDLEWILD TREATMENT PLANT:**

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

**NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):**

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

**ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):**

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

**ORR DITCH (CHALK BLUFF TREATMENT PLANT):**

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

EXHIBIT "B"  
PROPOSED PLACE OF USE

| DIVISION | SECTION | T-N | R-E |           |
|----------|---------|-----|-----|-----------|
| ALL      | 1-5     | 18  | 18  | M.D.B.&M. |
| E½       | 6&7     | 18  | 18  | M.D.B.&M. |
| ALL      | 8-17    | 18  | 18  | M.D.B.&M. |
| E½       | 18&19   | 18  | 18  | M.D.B.&M. |
| ALL      | 20-29   | 18  | 18  | M.D.B.&M. |
| E½       | 30&31   | 18  | 18  | M.D.B.&M. |
| ALL      | 32-36   | 18  | 18  | M.D.B.&M. |
| ALL      | 1-5     | 19  | 18  | M.D.B.&M. |
| E½       | 6&7     | 19  | 18  | M.D.B.&M. |
| ALL      | 8-17    | 19  | 18  | M.D.B.&M. |
| E½       | 18&19   | 19  | 18  | M.D.B.&M. |
| ALL      | 20-29   | 19  | 18  | M.D.B.&M. |
| E½       | 30&31   | 19  | 18  | M.D.B.&M. |
| ALL      | 32-36   | 19  | 18  | M.D.B.&M. |
| ALL      | 1-5     | 20  | 18  | M.D.B.&M. |
| E½       | 6&7     | 20  | 18  | M.D.B.&M. |
| ALL      | 8-17    | 20  | 18  | M.D.B.&M. |
| E½       | 18&19   | 20  | 18  | M.D.B.&M. |
| ALL      | 20-29   | 20  | 18  | M.D.B.&M. |
| E½       | 30&31   | 20  | 18  | M.D.B.&M. |
| ALL      | 32-36   | 20  | 18  | M.D.B.&M. |
| ALL      | 1-5     | 21  | 18  | M.D.B.&M. |
| E½       | 6&7     | 21  | 18  | M.D.B.&M. |
| ALL      | 8-17    | 21  | 18  | M.D.B.&M. |
| E½       | 18&19   | 21  | 18  | M.D.B.&M. |
| ALL      | 20-29   | 21  | 18  | M.D.B.&M. |
| E½       | 30&31   | 21  | 18  | M.D.B.&M. |
| ALL      | 32-36   | 21  | 18  | M.D.B.&M. |
| ALL      | 1-36    | 18  | 19  | M.D.B.&M. |
| ALL      | 1-36    | 19  | 19  | M.D.B.&M. |
| ALL      | 1-36    | 20  | 19  | M.D.B.&M. |
| ALL      | 1-36    | 21  | 19  | M.D.B.&M. |
| ALL      | 2-35    | 18  | 20  | M.D.B.&M. |
| W½       | 36      | 18  | 20  | M.D.B.&M. |
| ALL      | 1-12    | 19  | 20  | M.D.B.&M. |
| ALL      | 14-23   | 19  | 20  | M.D.B.&M. |
| ALL      | 26-35   | 19  | 20  | M.D.B.&M. |
| ALL      | 1-36    | 20  | 20  | M.D.B.&M. |
| ALL      | 1-36    | 21  | 20  | M.D.B.&M. |
| ALL      | 1-36    | 20  | 21  | M.D.B.&M. |
| ALL      | 1-36    | 21  | 21  | M.D.B.&M. |

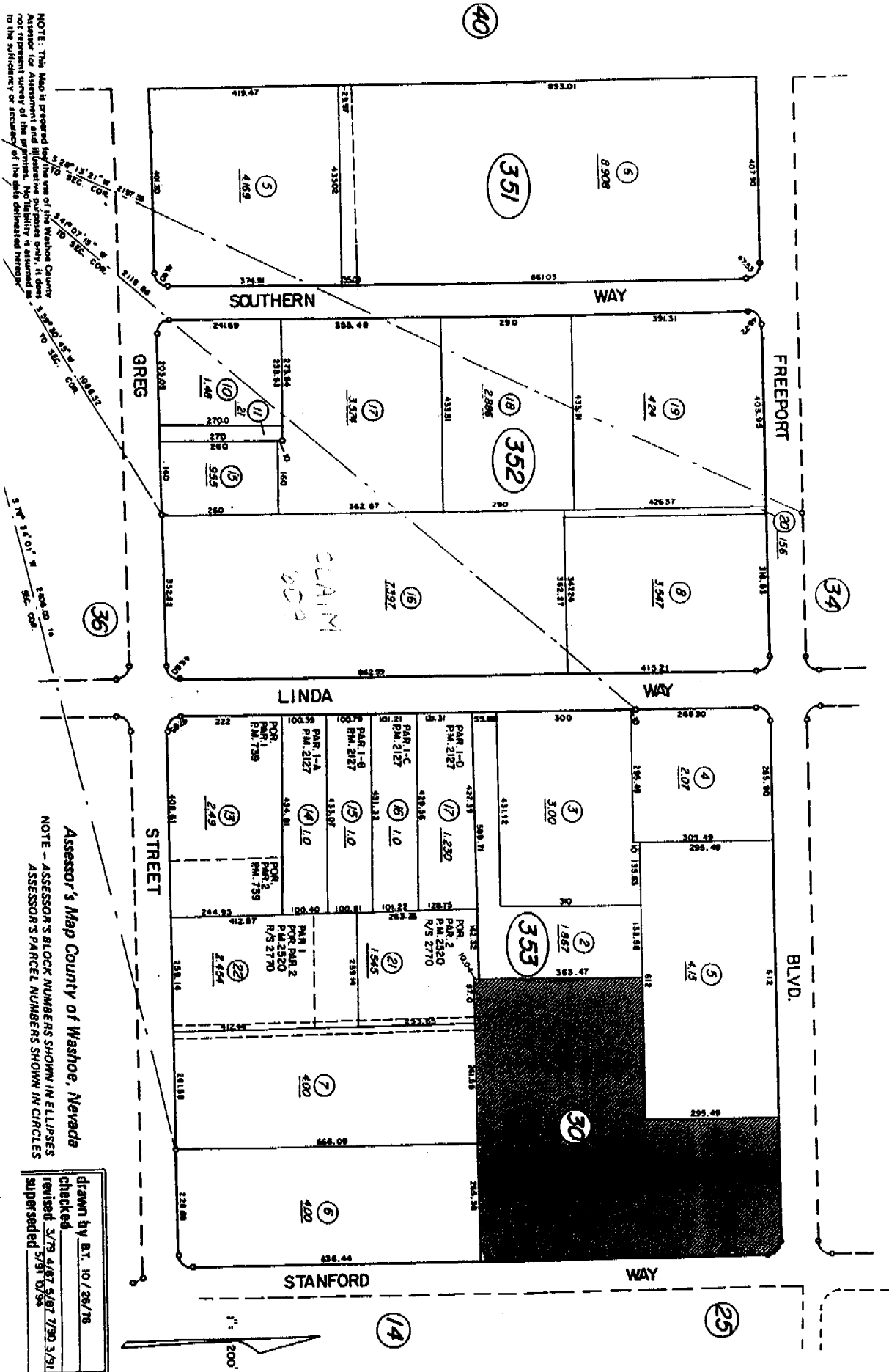
SEE SUPPORTING MAP ON FILE WITH APPLICATION NO. 62141

EXHIBIT "C"  
EXISTING PLACE OF USE

| Diversion      | 40-acre Sub'n. | Section | Township | Range | Claim # | APN | ACREAGE   | DUTY  |         |
|----------------|----------------|---------|----------|-------|---------|-----|-----------|-------|---------|
| Stephens Ditch | SE             | SW      | 9        | 19N.  | 20E.    | 609 | 34-353-14 | 0.224 | 0.78 #1 |
|                | SE             | SW      | 9        | 19N.  | 20E.    | 609 | 34-353-15 | 0.222 | 0.78 #2 |
| TOTALS         |                |         |          |       |         |     |           | 0.446 | 1.56    |

#1 Area A and G on map.  
#2 Area B and H on map.

PORTION OF SECTION 9-T19N-R20E



COPY

Assessor's Map County of Washoe, Nevada  
NOTE - ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES  
ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

drawn by B.T. 10/28/78  
checked 3/79 4/87 5/87 7/90 3/91  
revised 3/79 4/87 5/87 7/90 3/91  
superseded